

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING OF
THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
JANUARY 23, 2013**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, January 23, 2013, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

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| Mayor Terry Seitz | Present |
| Council members: | |
| Gregory Schnarr | Present |
| David Prechtel | Present |
| Thomas Schmidt | Present |
| Earl Schmitt | Present |
| Kevin Manley | Present |
| Randall Buchta | Present |
| Raymond Howard | Present |
| City Attorney Renee Kabrick | Present |
| Clerk-Treasurer Juanita S. Boehm | Present |

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. December 19, 2012, regular Common Council meeting
2. December 19, 2012 public hearing concerning Ordinance No. 2012-31 that revises wastewater rates and charges
3. December 11, 2012 special joint meeting with the Utility Service Board
RE: 3rd Ave grant

A **motion** was made by Council member Kevin Manley and seconded by Council member Raymond Howard to approve all sets of minutes as presented. Motion carried 7-0.

Public hearing. Mayor Seitz then opened the public hearing regarding the petition of Access Storage Now LLC to vacate a 20ft public utility and drainage easement situated along the entire east line of Lot No. 1 of a Replat of St. Charles

Development-Addition 1. A notice appeared in the Herald on January 4, 2013 and was posted at city hall.

Phil Buehler with Brosmer Land Surveying was present representing Access Storage Now LLC. Buehler said his client currently has four storage buildings and wants to add four more buildings on the site. He said the Utility Service Board gave a favorable recommendation for the vacation.

Mayor Seitz then asked for public comments. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

Ordinance No. 2013-2 AN ORDINANCE VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT

This ordinance vacates a PUDE along the east line of Lot No. 1 of a Replat of St. Charles Development-Addition 1. [Access Storage Now LLC petition]

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2013-2. Motion carried 7-0.

Boy Scouts. Assistant Scout Master Mike Fritch, along with two adults and twelve boy scouts from Troop 185 were present. Fritch said the scouts are working on the citizenship in the community merit badge.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on January 21, 2013. Copies of the minutes are supplied to each council member.

President pro tempore. Mayor Seitz said the council members need to choose from its members a president pro tempore to preside whenever the executive is absent.

A motion was made by Council member Raymond Howard and seconded by Council member Randall Buchta to nominate Council member Thomas Schmidt as president pro tempore. Motion carried 7-0.

List of encumbrances. A list of 2012 items to be encumbered was presented. A motion was made by Council member Thomas Schmidt and seconded by Council member Kevin Manley to accept the list of encumbrances. Motion carried 7-0.

Conflict of interest statement. Mayor Seitz presented a conflict of interest disclosure statement submitted by Jerald Schitter. Schitter is the City's electric distribution manager and serves as a member of the Indiana Municipal Power Agency.

A motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to accept the conflict of interest disclosure statement submitted by Jerald Schitter. Motion carried 7-0.

Cityvisions. Mayor Seitz distributed a copy of a memorandum from Cityvisions that contained the January activity regarding the Jasper downtown and riverfront master plan.

**Ordinance No. 2013-1 AN ORDINANCE APPROPRIATING
ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR
THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31,
2013**

This ordinance appropriates money to purchase the Jasper Country Club property. A notice to taxpayers appeared in the Herald on January 12, 2013. Mayor Seitz then asked for comments from the public.

Tom Seger appeared before the council to speak about the possible sale of three or four pieces of property to pursue the country club property. He said this is his opinion and that of others. First, 30th Street Park. It was viable at one time but it is not as viable as it was ten years ago. It is a good piece of property to sell. Second, the Lechner property. He was a member of the Park Board when it was purchased and his family helped supplement the funding. It is a great piece of property and they entertained soccer fields before putting them where they are now. He thinks it should be sold. Third, the Bockelman property. As a businessman he would not sell this property because it adjoins property the City already owns and can be valuable in the future. He thinks many others feel this way. This piece of land has many possible uses such as a new club house or a water park. Why would we sell this 30 acres to purchase land we don't have a long term plan for.

Council member Earl Schmitt said 30th Street Park has three ball fields where kids can get together and play. They cannot do that at the sports complex. He does not want to see that taken away from the youth. He thinks we will get the most money for the Bockelman property but agrees with Seger. Council member Kevin Manley said selling the property to buy the country club property was looked at as a financial arrangement in order not to burden the taxpayers. If the property is sold to a business it goes back on the tax rolls. Mayor Seitz said we have the potential to leverage three properties and bring something to the City we don't have. For years we have not had a plan for the Bockelman property. Seger

said when the City built the sports complex, the Park Board was told not to come back with plans for other things because we didn't have the money.

Mayor Seitz asked if there were any other public comments. No other public comments were received.

A motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Raymond Howard and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2013-1. Motion carried 7-0.

Under discussion, Council member Kevin Manley said he wants something in writing that if the property that was discussed is sold, the proceeds will go into the Rainy Day Fund. He wants a commitment that the Rainy Day Fund will be repaid. City Attorney Renee Kabrick said she can prepare a resolution stating that fact.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:02 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 20th day of February, 2013.

Mayor Terry Seitz
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer